Case 1:15-cv-04885-RJS Document 7 Filed 07/09/15 Page 1 of 5

| UNITED | STATES | DISTRICT | COURT |
|--------|---------|-----------|---------|
| SOUTHE | RN DIST | RICT OF N | EW YORK |

IVAN SUAZO,

Plaintiff,

-V-

ZOEY MARTINSON, et al.,

Defendants.

| USDS SDNY | |
|-------------|------------|
| DOCUMENT | |
| ELECTRONIC | ALLY FILED |
| DOC #: | |
| DATE FILED: | 07.09.15 |

No. 15-cv-4885 (RJS) ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is now in receipt of the attached two letters, each dated July 9, 2015, from pro se Defendants Zoey Martinson and Jonathan David Martin, individually and as principals of Defendant Smoke and Mirrors Collaborative, requesting that their time to answer or otherwise move in response to the complaint be extended to October 1, 2015. Defendants' letters also represent that Plaintiff does not consent to their extension request. As an initial matter, while individual defendants may appear pro se, corporate defendants must be represented by counsel. *See Jones v. Niagara Frontier Transp. Auth.*, 722 F.2d 20, 22 (2d Cir. 1983). Moreover, to the extent that Defendants Zoey Martinson and Jonathan David Martin intend to represent themselves, they must submit all correspondence with the Court through the Pro Se Office. Finally, the fact that Defendants are currently out of the country pursuant to previously made plans does not absolve them of the responsibility to respond to this action. Nevertheless, in order to reasonably accommodate Defendants, IT IS HEREBY ORDERED THAT Defendants' time to answer or otherwise move is extended until August 15, 2015.

SO ORDERED.

Dated:

July 9, 2015

New York, New York

RICHARD J. SULLIVAN

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

for the

Southern District of New York

| Ivan Sauzo |) | |
|------------------------------------|---|---------------------------|
| |) | |
| v. |) | Civil Action No. 15-04885 |
| |) | |
| Jonathan David Martin |) | |
| Zoey Martinson |) | |
| Smoke and Mirrors Collaborative |) | |
| c/o Zoey Martinson |) | |
| The Elysabeth Kleinhans Theatrical |) | |
| Foundation |) | |

I, the undersigned, Jonathan Martin, am named as a defendant in the Civil Action identified above. A summons in the case, dated June 23, 2015, has been taped to the door of my apartment where I reside.

To the best of my knowledge, I have not been served. My address is not the address specified in the summons. I am only aware of the information on the first page of the summons because a friend of mine saw it and emailed me a copy of that first page on July 3, 2015.

Ms. Martinson and I, the principals of Smoke and Mirrors Collaborative, are out of the country touring South Africa conducting free workshops for low income children and teenagers with Non Profit Organizations Afrika Tikkun, KCAP, and CAMP sponsored by the Consulate General of the United States of America. When that project is finished, we are traveling with another project to Scotland. Therefore, neither I nor Ms. Martinson nor Smoke and Mirrors Collaborative will be able to file an answer in this case until after we return to the United States on September 1st, 2015.

Ms. Martinson and I, individually and as the principals of Smoke and Mirrors Collaborative, sent an email to plaintiff's attorney, Shana Fried, Esq. of the The Fried Firm PLLC, on July 7th, 2015 asking the plaintiff to agree to an extension of time to answer the complaint in the case. The Fried Firm told us: ["Thus, while we appreciate your attention to the matter, we decline your request to extend the time that you may have to respond to the litigation."

Therefore, I respectfully request that the Court extend the time of defendants Jonathan Martin and Zoey Martinson and Smoke & Mirrors Collaborative to serve on the plaintiff an answer in this case, until October 1st, 2015. So that we may have time to secure legal representation.

July 9, 2015

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On Joly 9th, 2015 before me personally appeared Zozy Martinson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person (s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

Branch Jamas C. M. M.

The second secon

UNITED STATES DISTRICT COURT

for the

Southern District of New York

| Ivan Sauzo |) | |
|------------------------------------|---|---------------------------|
| |) | |
| v. |) | Civil Action No. 15-04885 |
| |) | |
| Jonathan David Martin |) | |
| Zoey Martinson |) | |
| Smoke and Mirrors Collaborative |) | |
| c/o Zoey Martinson |) | |
| The Elysabeth Kleinhans Theatrical |) | |
| Foundation |) | |

I, the undersigned, Jonathan Martin, am named as a defendant in the Civil Action identified above. A summons in the case, dated June 23, 2015, has been taped to the door of my apartment where I reside.

To the best of my knowledge, I have not been served. My address is not the address specified in the summons. I am only aware of the information on the first page of the summons because a friend of mine saw it and emailed me a copy of that first page on July 3, 2015.

Ms. Martinson and I, the principals of Smoke and Mirrors Collaborative, are out of the country touring South Africa conducting free workshops for low income children and teenagers with Non Profit Organizations Afrika Tikkun, KCAP, and CAMP sponsored by the Consulate General of the United States of America. When that project is finished, we are traveling with another project to Scotland. Therefore, neither I nor Ms. Martinson nor Smoke and Mirrors Collaborative will be able to file an answer in this case until after we return to the United States on **September 1st. 2015**.

Ms. Martinson and I, individually and as the principals of Smoke and Mirrors Collaborative, sent an email to plaintiff's attorney, Shana Fried, Esq. of the The Fried Firm PLLC, on July 7th, 2015 asking the plaintiff to agree to an extension of time to answer the complaint in the case. The Fried Firm told us: ["Thus, while we appreciate your attention to the matter, we decline your request to extend the time that you may have to respond to the litigation."]

Therefore, I respectfully request that the Court extend the time of defendants Jonathan Martin and Zoey Martinson and Smoke & Mirrors Collaborative to serve on the plaintiff an answer in this case, until October 1st, 2015. So that we may have time to secure legal representation.

By:

6 had any a harmon and that more is no indication

oranith.

Branch Manag

2015-07-09

0140

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

WITNESS my hand and official seal.

Signature of Notary Public

the second control of the second copy of the officers of the second control of the secon

Branch Manag

CHARLES TO THE RESIDENCE OF THE PARTY OF THE

614